



DOCKET NO. CRD-5071

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert Falotico et al.

Serial No.: 10/805,736

Art Unit: 3763

Filed : March 22, 2004

Examiner: Not assigned yet

For : LOCAL VASCULAR DELIVERY OF PANZEM® IN COMBINATION WITH RAPAMYCIN TO PREVENT RESTENOSIS FOLLOWING VASCULAR INJURY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 6, 2004

(Date of Deposit)

Carl J. Evens

(Name of applicant, assignee, or registered Representative)

(Signature)

July 6, 2004

(Date of Signature)

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Robert Falotico et al. entitled LOCAL VASCULAR DELIVERY OF PANZEM® IN COMBINATION WITH RAPAMYCIN TO PREVENT RESTENOSIS FOLLOWING VASCULAR INJURY attorney Docket No. CRD-5071, to complete, pursuant to Rule 51, this application filed on March 22, 2004 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/CRD5071/CJE in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/CRD5071/CJE. This sheet is submitted in triplicate.

Respectfully submitted,

Carl J. Evens  
Reg. No. 33,874  
Attorney for Applicant(s)

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New Brunswick, NJ 08933-7003  
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PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

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<b>DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>		Attorney Docket Number	CRD-5071 USANP
		First Named Inventor	Robert Falotico et al.
		<i>COMPLETE IF KNOWN</i>	
		Application Number	10/805,736
		Filing Date	March 22, 2004
		Group Art Unit	3763
		Examiner Name	

**As a below named inventor, I hereby declare that:**

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**LOCAL VASCULAR DELIVERY OF PANZEM® IN COMBINATION WITH RAPAMYCIN TO PREVENT RESTENOSIS  
FOLLOWING VASCULAR INJURY**  
*(Title of the Invention)*

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) **03/22/2004** as United States Application Number or PCT International Application Number  
**10/805,736** and was amended on (MM/DD/YYYY)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

## **DECLARATION - Utility or Design Patent Application**

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
		<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
1234567890	2023-01-01	Patented
1234567890	2023-01-01	Patented
1234567890	2023-01-01	Patented

I hereby appoint:

Practitioners at Customer Number **000027777**

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**AND**

Practitioner(s) named below:

### Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to Carl J. Evens at telephone number (732) 524-2518.

Direct all correspondence to:	Customer Number <input checked="" type="checkbox"/> or Bar Code Label	<b>000027777</b>	OR	<input type="checkbox"/> Correspondence address below
<b>Name:</b> <hr/> <b>Address:</b> <hr/> <b>Address:</b> <hr/>				
<b>City:</b>	<b>State:</b>	<b>ZIP</b>		
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Robert		Family Name or Surname Falotico	
Inventor's Signature			Date 6/28/04
Residence: City Belle Mead	State NJ	Country USA	Citizenship USA
Mailing Address 40 Black Horse Run			
City Belle Mead	State NJ	ZIP 08502	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Tom Jay		Family Name or Surname Parry	
Inventor's Signature			Date 28 June 04
Residence: City Hellertown	State PA	Country USA	Citizenship USA
Mailing Address 1452 Bette Lane			
City Hellertown	State PA	ZIP 18055	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Jonathon Z.		Family Name or Surname Zhao	
Inventor's Signature			Date 6/28/04
Residence: City Belle Mead	State NJ	Country USA	Citizenship USA
Mailing Address 12 Briar Hill Court			
City Belle Mead	State NJ	ZIP 08502	Country USA